

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION**

January 14, 2020

PRESENT: Chairman Torsten Rhode Commissioner Guy Turchetti
 Vice Chairman Stanley Taylor Commissioner Anne Beyer
 Commissioner Jeff Ayers Commissioner Lindsay Henahan

ABSENT: (A vacancy exists from the December resignation of Adrienne Kantz)

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

ORGANIZATIONAL MEETING

Mr. Richard Brown, Director of Development and Planning, opened the 2020 Organizational Meeting of the Planning Commission at 7:00 P.M. and asked for nominations for Chairperson.

Commissioner Taylor nominated Commissioner Rhode. Commissioner Ayers seconded the motion, which was carried by a voice vote (5-0).

Chairperson Rhode asked for nominations for Vice Chairperson. Commissioner Turchetti nominated Commissioner Taylor. Commissioner Henahan seconded the motion, which was carried by a voice vote (5-0).

Chairperson Rhode set the time and place of the regular meeting to be the second Tuesday of each month in the courtroom of City Hall at 7:00 P.M.

Vice Chairman Taylor moved that the Chairperson be authorized to call Special Meetings as needed. Commissioner Henahan seconded the motion, which was carried by a voice vote (6-0).

Vice Chairman Taylor moved to adjourn the Organizational meeting. Commissioner Ayers seconded the motion, which was carried by a voice vote (6-0).

CALL TO ORDER

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:15 P.M.

APPROVAL OF MINUTES:

Chairman Rhode asked if anyone had any additions or corrections to the December 10, 2019 Meeting Minutes. Vice Chairman Taylor moved to approve the minutes as submitted. Commissioner Turchetti seconded the motion, which carried by unanimous voice vote (6-0).

REVIEW OF APPLICATIONS

ITEM 1 **Application #19-104B: 195 South Main Street, NICK'S CHOPHOUSE, Historic Alteration to add rooftop dining to the existing restaurant. Amendment to approval granted on May 14, 2019.**

Architect Daniel Long represented the application. He said the amendment involves the egress stairs on the south side of the building. A fire escape stair that was originally approved does not meet building code. They are proposing a change to the configuration of the stair itself. It has been simplified to minimize switch backs and will now include a gate system for security. They also wish to change the design of the handrail. Originally, there was a fairly open horizontal hand guard. Those openings are too large for this type of stair, so they are now proposing a mesh, metal panel.

Commissioner Ayers asked about the color and material of the existing set of stairs. Mr. Long distributed an image of the existing steel stair that is currently red. It will match this, but they are planning to paint both sets of stairs tan to blend in with the brick façade.

Commissioner Ayers asked if there was a roof proposed for over the stairs. Mr. Long said there will be no roof.

Chairman Rhode asked if the vertical risers would be open or closed. Mr. Long confirmed the risers would be closed using the same metal mesh material.

Commissioner Ayers inquired about the gate. Mr. Long explained that there would be a man-door sized gate at the first landing. The gate is required for safety reasons and will prevent unauthorized access to the roof.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Henchan seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 Application #19-366: 770 South Main, THE LAKE HOUSE, Site Plan Review to construct docks for 67 boat slips. (Tabled on December 10, 2019)

Robert Brenner of the law firm, Nixon Peabody, represented the application. Dave Crowe of HP Cornerstone, Doug Bennett of the ownership team, and Michael Ritchie of Costich Engineering were also present.

Mr. Brenner said the project was presented to the Ontario County Planning Board on December 11, 2019. A positive recommendation was given by the OCPB, with suggested modifications. As a result of that meeting, the prior Planning Commission meeting, and input received from the public, they are proposing changes to the project.

The Unified Docking and Mooring Law allows for 68 slips; however, they have reduced the proposal to only 40, at this time. The entire proposed dock will be shifted an additional 10' away from the Navigational Channel and an additional 5' away from the Facility Line. They are also proposing to reduce the height of the dock above the waterline by 1' and add a new, "Slow. No Wake Zone" sign.

Proposed changes to the lighting provide for dark-sky compliance, with the exception of the flag pole. The number of dock light fixtures at the dock end will be reduced from 9 to 4. Single goose neck fixtures are proposed and will be moved to the eastern side of the main dock walkway.

Additional proposed changes include reducing the number of proposed utility pedestals from 6 to 3, and removing the decorative barrier at the end of the dock.

Chairman Rhode is pleased that all comments and concerns have been addressed.

Chairman Rhode led the commission through the submitted SEQR Environmental Assessment Form. Mr. Brown noted that the overall project had received a Negative Declaration in 2018; this review would be to determine if this finding needed to be revised based on the addition of the dock. Vice Chair Taylor moved that the Planning Commission find that the project will not result in any significant adverse environmental impacts and that a SEQR Negative Declaration be filed. Commissioner Ayers seconded the motion, which carried with a unanimous voice vote (6-0).

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The amendment includes a reduction in the number of slips to 40.

Commissioner Henehan seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 3 Application #19-374A: 250 North Bloomfield Road, GREATER CANANDAIGUA CIVIC CENTER for Architectural Review to install signage.

- 1. One wall sign of 192 square feet; and**
- 2. One, digital, ground sign of 53 square feet; and**
- 3. Three, temporary commercial flags**

John Roberts, President of the Board of the Civic Center, represented the application. David Korpel, the Executive Director, was also present.

They would like to install a digital, electronic sign on the northeast corner of the property that will allow them to easily promote the changing events being held at the facility, as well as public service messages. They are also seeking approval for a 192 square ft wall sign that has been previously installed in a window over the entry. In addition, they would like to be able to place up to three, temporary event flags on the property along North Bloomfield Road for seasonal events or when they have Open Skate or a Knight's Hockey game. In December, the Zoning Board of Appeals approved area variances with regard to the size and number of the proposed signs.

Vice Chairman Taylor expressed concern over the brightness of the electronic sign and asked if the light could be dimmed at night. Mr. Roberts explained that it would be equipped with an automatic dimming feature.

Commissioner Henehan asked if the top of the digital sign is lighted as well. Mr. Roberts confirmed it would be lit.

Chairman Rhode inquired about the proposed hours for the digital sign to be lit. Mr. Korpiel stated that the parking lot lights remain on until midnight and he proposes the same time for the sign to be turned off.

Chairman Rhode noted that the orientation is favorable, in that it is not visible from any nearby residential properties.

Commissioner Henehan asked how often the message would change on the digital sign. She feels a scrolling sign is distracting and dangerous. Mr. Roberts explained that a traffic study was completed and this was taken into consideration as well as the font size of the message displayed. He confirmed that it would not be a continuously changing message.

Commissioner Henehan inquired about the wall sign that now covers a window. Mr. Roberts explained that it is helpful to have the sign covering the window because the sun changes the quality of the ice.

Commissioner Henehan asked about the placement of the commercial flags. Mr. Korpiel explained that they would be 10' back from the road, as required. Mr. Roberts said they would be placed approximately 50 to 100 feet apart from each other.

Commissioner Turchetti asked if the flags would be used for events only. Mr. Roberts agreed that they would be for temporary events and would not be permanently displayed.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chairman Taylor moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The digital sign will not be lit past midnight.
2. There will be no continuous scrolling on the digital sign.

Commissioner Turchetti seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 4 Application #19-382: 76 Howell Street, SCOTT RESTON, for a Historic Alteration to construct a 280 SF addition to the barn.

The applicant, Scott Reston, was not present. Mr. Brown explained that they are proposing a 10' addition to extend from the back of the existing barn. There is limited visibility from the street. The siding will be wooden clapboards. The roof is asphalt shingle.

Vice Chairman Taylor asked about the location of the addition, he thought it was to be on the front of the barn. It was confirmed that it is on the back and that it is existing. Mr. Brown stated that the homeowner was granted a Building Permit for the addition, noting on the application that it would not be visible from the street. However, since beginning construction, it has been determined that there is some limited visibility from the street and therefore Planning Commission approval is required.

After some discussion, the commission determined that further review of the application was needed.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission **Table** the application to allow the commission an opportunity to view the property again.

Commissioner Henehan seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 5 Application #19-386: Pier #3, Boathouse #16, ULANA FULLER, for a Historic Alteration to demolish and reconstruct the boathouse.

Ulana Fuller, the property owner, represented the application. Her husband, Andrew Duncan, was also present.

The entire boathouse is in a state of disrepair from weathering. It is currently leaning against a neighboring boathouse on the east side and is buckling as a result. Many of the pilings are worn away and leaning. They wish to reconstruct the boathouse with a near replica. The footprint, floor plan, and overall form of the structure will not change, but the new, proposed boathouse will be 2 ½ feet taller (15 feet, up from 12 ½).

The siding proposed is cement board clapboards in a Celtic blue color. Metal would be used on the sides with little visibility. The proposed windows are vinyl and the doors are wooden. The roof is to be asphalt shingles.

The existing boathouse has a nonconforming deck on the first and second story. The new boathouse would replicate these, with no change in dimensions or materials. The only change would be the hand rail guard. They are proposing a wire, cable guard.

Vice Chairman Taylor asked about the color of the roof. Ms. Fuller stated that the shingles would be black.

Chairman Rhode feels a cable railing would look too modern. He believes wooden vertical balusters would be more appropriate. Vice Chair Taylor doesn't mind the look of the cable railings. Commissioners Henehan and Ayers agree. Mr. Duncan believes the cable is less visible than other alternatives and provides a nautical look. Chairman Rhode noted that there is minimal visibility of the railing.

Ms. Fuller is proposing vinyl, sliding-style windows. Commissioner Henehan believes vinyl is not the best choice and Chairman Rhode feels awning-style windows would be more historically appropriate.

Chairman Rhode asked about the construction of the exterior boat door. Ms. Fuller stated that it would be reconstructed to open in the same hinged manner as the existing door.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. Awning style windows shall be used.

Commissioner Beyer seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 6 (Public Hearing) Application #20-001: 65 South Main Street, BELL ATLANTIC SYSTEMS, for Historic Alteration and Special Use Permit (Public Utility) to attach an antenna to the existing building to establish a small cell wireless facility.

Nathan Vander Wal, from Nixon-Peabody was present. With him were Josh Doolin, an RF engineer with Verizon Wireless, Lisa Maas-Vangellow, from Airosmith Development, and Project Manager, Kathy Pomponio.

The site consists of a 6' x 6' area of leased rooftop space for the antenna, together with a separate 5' x 10' area of interior leased space from the property owner, Skip's Properties, LLC. The interior space would house the related equipment. Reflective tape will be used on the antenna, as per the State Historical Preservation Office recommendation.

Chairman Rhode opened the Public Hearing.

Chairman Rhode asked if there were anyone else wishing to speak. Seeing no one, the Public Hearing was closed.

The commission determined the project to be a Type 2 action under SEQR, not requiring an environmental assessment.

Mr. Vander Wal asked about referral to the Ontario County Planning Board. Mr. Brown stated that a previous, near identical application was referred to the board, with no comments being received.

Chairman Rhode noted that considerable time had been spent on the review of these proposals, in work session and when they were submitted and withdrawn previously. He asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. Reflective tape will be used on the entire antenna.

Commissioner Turchetti seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henahan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 7 (Public Hearing) Application #20-002: 245 South Main Street, BELL ATLANTIC SYSTEMS, for Historic Alteration and Special Use Permit (Public Utility) to attach an antenna to the existing building to establish a small cell wireless facility.

Nathan Vander Wal, from Nixon-Peabody was present. With him were Josh Doolin, an RF engineer with Verizon Wireless, Lisa Maas-Vangellow, from Airosmith Development, and Project Manager, Kathy Pomponio.

An application was originally presented in February 2019, but there were issues and concerns were raised regarding the aesthetic impact of this project. Improvements were introduced at a work session at the September 10, 2019 Planning Commission meeting. At that meeting, the Commission requested for a temporary “mock” antenna to be installed at the site to allow Commissioners to view the proposed design. A replica antenna was installed over the weekend of November 15-18, 2019. This proposal includes moving the equipment to a lower level in the rear of the building. The State Historic Preservation Office approves of this installation with or without the reflective tape.

Chairman Rhode opened the Public Hearing. Seeing no one, the Public Hearing was closed.

The commission determined the project to be a Type 2 action under SEQR, not requiring an environmental assessment.

Mr. Vander Wal asked about referral to the Ontario County Planning Board. Mr. Brown stated that a previous, near identical application was referred to the board, with no comments being received.

Chairman Rhode asked if there were any other comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. Reflective tape will be used on the entire antenna.

Commissioner Ayers seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 8 **Application #20-004: 246 South Main Street, KARMA SALON & SPA, Historic Alteration to install an 18 SF wall sign, window graphics, and display a portable sign.**

Roxanne Forbes, the business owner, represented the application.

Vice Chair Taylor said he would like to see the wall sign installed at the same height as the neighboring business. Chairman Rhode clarified that the size of the sign should be adjusted so that the top and bottom of the sign align with the trim work on the building.

Commissioner Ayers asked if the proposed window graphics would have a solid, gray background. Ms. Forbes confirmed that she is proposing a gray background. Commissioner Ayers believes the window graphics should be open lettering to allow light through.

Commissioner Ayers questioned the size of the lettering on the wall sign. Ms. Forbes said the image submitted is not accurate. It will be more in proportion to that shown on the window graphic.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Turchetti moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The top and bottom of the wall sign will align with the sign for the neighboring business.
2. The window graphics shall be open lettering.

Commissioner Ayers seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 9 **Application #20-007: 300 Eastern Boulevard, HARBOR FREIGHT, for Architectural Review to install 150 SF wall sign and 9 SF tenant panel in the ground sign.**

Kirk Wright, from Sign and Lighting Services, represented the application. They are requesting a wall sign similar in size and design to the other signs in the plaza.

Commissioner Henahan asked if the wall sign is to be back-lit. Mr. Wright confirmed that it would be internally illuminated.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented.

Vice Chair Taylor seconded the motion, which carried with a vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henahan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 10 **Application #20-008: 300 Eastern Boulevard, TOWNE CENTER PLAZA, for Architectural Review to install accent lighting on the plaza.**

Alex Broccuto represented the application. He said they have installed red, accent lighting over the cornice of each segment of the plaza without realizing it requires Planning Commission approval.

Commissioner Henahan asked why the lighting was installed. Mr. Broccuto explained that it is appreciated by the tenants, they have requested more visibility and the lighting highlights the plaza and enhances the building. They have received positive feedback since installing it.

Vice Chairman Taylor questioned why the color red was chosen. He feels a dimmer, warmer, white may be a better choice.

Commissioner Beyer feels the lighting is very bright at night.

Commissioner Ayers feels that the LED lights are not consistent with the overall design of the plaza. Chairman Rhode agreed and added that this type of lighting is specifically not recommended by the adopted Architectural Standards.

Commissioner Henehan believes the accent lighting will do nothing to improve business within the plaza.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission **Deny** the application as submitted and presented.

Commissioner Henehan seconded the motion, which carried with a vote (4-2).

Commissioner Ayers	Voting	NO
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	NO
Commissioner (Vacant)		
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

MISCELLANEOUS

Vice Chairman Taylor spoke of the recent Comprehensive Plan Committee meetings. They are presently reviewing the work they have completed. The deadline has been extended from January to March. Eastern Boulevard is being addressed and architectural standards will be tightened up substantially for that area.

ADJOURNMENT

Commissioner Henehan moved to adjourn the meeting at 9:15. Commissioner Turchetti seconded the motion which carried with a unanimous voice vote (6-0).

Richard Brown
Director of Development & Planning

Torsten Rhode
Planning Commission Chairman